



**Family and Social Services Administration
Digest of Enactments**

2001
INDIANA GENERAL ASSEMBLY
First Regular Session

A summary of the bills passed by the 113th General Assembly, during its first regular session, that related to the programs, facilities, and administration of the Family and Social Services Administration

DIGEST OF ENACTMENTS*
INDIANA FAMILY & SOCIAL SERVICES ADMINISTRATION
2001 GENERAL ASSEMBLY

BILL NUMBER	TITLE	DIVISION
SEA 19	First Steps Program	DFC
SEA 49	Coordination of Child Care Regulation Board	DFC
SEA 50	Services to Individuals with Disabilities	DDARS
SEA 83	Child Care Providers and Child Abuse Registry	DFC
SEA 96	Alcoholic Beverage Retailer Permits and Annexations	DMH
SEA 110	Care of Children	DFC
SEA 215	Personal Care	OMPP
SEA 216	Medicaid	OMPP
SEA 280	Methadone Clinic Moratorium	DMH
SEA 309	Medicaid Funding of Nursing Home Facilities	OMPP
SEA 310	Updating Reimbursement Codes	OMPP
SEA 375	Human Services	DDARS
SEA 431	Dental Care	DFC, OMPP
SEA 433	Pharmacists	OMPP
SEA 459	Dental and Vision Services under CHIP	CHIP
SEA 501	Transportation of Children	DFC
SEA 538	Children's Services	DMH, DFC
SEA 561	Health	OMPP
HEA 1047	Definition of Autism	DDARS, OMPP
HEA 1206	PILOTS and Bureau of Family Resources	DFC
HEA 1249	Indiana Children's Trust Fund	DFC
HEA 1401	Evansville Hospital Property	DMH
HEA 1417	Parents as Teachers Program	DPP
HEA 1487	Newborn Screening	OMPP
HEA 1511	Rehabilitation Service Contracts	DDARS
HEA 1647	Medicaid Waivers	OMPP, DDARS
HEA 1767	Continuum of Care for the Elderly and Disabled	DDARS
HEA 1813	Mental Health	DMH
HEA 1829	Abandoned Infants	DFC
HEA 1841	Various Child Support Matters	DFC
HEA 1845	Indiana Commission on Excellence in Health Care	FSSA
HEA 1871	Medicaid and Certain Hospitals	OMPP
HEA 1872	Emergency Services	OMPP
HEA 1873	Hospice	OMPP
HEA 1938	Medicaid Coverage for Breast and Cervical Cancer	OMPP
HEA 1950	Medicaid Buy-In Program for the Working Disabled	OMPP
HEA 1958	Prescription Discount and Benefit Cards	OMPP
HEA 2031	Child Fatality Review Teams	DFC

ACRONYMS

CHIP	Children's Health Insurance Program
DDARS	Division of Disability, Aging and Rehabilitative Services
DFC	Division of Family and Children
DMHA	Division of Mental Health and Addictions
DPP	Division of Policy and Planning
OMPP	Office of Medicaid Policy and Planning

** Note: This digest does not include bills vetoed by the Governor.*

SEA 19

First Steps Program

Author(s): Lawson; Kenley; Johnson

Sponsor(s): Welch; Duncan; Summers

Citations Affected: IC 12-17

Effective: July 1, 2001; July 1, 2002.

Synopsis: Requires the DFC to adopt rules to implement a cost participation plan for early intervention services provided under the Infants and Toddlers with Disabilities Program (commonly referred to as First Steps). Specifies elements that must be included in the cost participation plan, including a specific schedule of cost participation amounts. Provides that the DFC may not receive more than \$3,500 per First Steps child per year from a family's health care coverage. Requires the DFC, with assistance from the Interagency Coordinating Council, to develop and implement utilization review procedures for First Steps. (13)

SEA 49

Coordination of Child Care Regulation Board

Author(s): Lawson; Young

Sponsor(s): Crawford; Budak

Citations Affected: IC 12-17.2.

Effective: July 1, 2001.

Synopsis: Extends for three years the expiration of the Board for the Coordination of Child Care Regulation. Requires the Board to study immunization rates to determine if children at child care centers have received age-appropriate immunizations. (The introduced version of this bill was prepared by the Board for the Coordination of Child Care Regulation.) (98)

SEA 50

Services to Individuals with Disabilities

Author(s): Lawson; Howard

Sponsor(s): Klinker; Alderman

Citations Affected: IC 12-17; noncode

Effective Date: July 1, 2001.

Synopsis: Requires the Commission on Mental Retardation and Developmental Disabilities to annually review the Infants and Toddlers with Disabilities Program (commonly known as the "First Steps" Program). Makes technical corrections. (The introduced version of this bill was prepared by the Indiana Commission on Mental Retardation and Developmental Disabilities.) (98)

SEA 83

Child Care Providers and Child Abuse Registry

Author(s): Lawson; Simpson; Breaux

Sponsor(s): Crawford; Budak

Citations Affected: IC 31-9; IC 31-33.

Effective: July 1, 2001.

Synopsis: Defines "child care provider" for purposes of the child abuse registry as a person who provides child care regardless of whether the person is required to be licensed or registered. Allows a person, upon submitting a consent for release of information, to access certain information in the child abuse registry regarding: (1) a child care provider who is providing or may provide child care for the person's child; or (2) an individual at least 18 years of age who resides with the provider and who may have direct contact with children for whom the child care provider provides child care. (The introduced version of this bill was prepared by the Board for the Coordination of Child Care Regulation.) (98)

SEA 96

Alcoholic Beverage Retailer Permits and Annexations

Author(s): Alting

Sponsor(s): Kuzman; Alderman

Citations Affected: IC 7.1-3.

Effective: Upon passage.

Synopsis: Provides that in the case of a municipal annexation, the Alcoholic Beverage Commission may only reclassify a retailer's permit in the former unincorporated territory as a permit inside the municipality if the permittee has actually conducted a retail business at the site for two consecutive years. Specifies treatment of permits that are applied for after notice of an annexation hearing is made and before the annexation occurs. (22)

SEA 110

Care of Children

Author(s): Craycraft; Lawson

Sponsor(s): Budak; Crosby

Citations Affected: IC 12-17.2; noncode.

Effective Date: July 1, 2001.

Synopsis: Provides certain standards that a child care provider that receives a child care development voucher must meet. Specifies that a local step ahead council may not require child care ministries to meet additional standards unless those additional standards are approved by the General Assembly or the DFC. Requires an applicant for a class I child care home license to meet certain requirements regarding education and training. Allows a class I child care home to serve a school age child during a break in the school year that exceeds four weeks if: (1) the school age child was at the home part-time during the four months preceding the break or has a sibling attending the child care home; and (2) the child care home and its licensee meet certain requirements. Removes the requirement that a person reside in a child care home to qualify for a license to operate a class II child care home. Lifts the July 1, 1996, moratorium imposed on the licensure of class II child care homes. Changes the definition of "child care center". Requires employees of child care institutions, group homes, and child care centers to be currently (as opposed to "annually") certified in cardiopulmonary resuscitation (CPR). (104)

SEA 215

Personal Care

Author(s): Miller; Merritt; Young

**Sponsor(s): C. Brown; Becker; Budak
Goeglein**

Citations Affected: IC 12-7; IC 12-10; IC 16-18; IC 16-27; IC 16-28; IC 25-22.5; IC 25-23; IC 34-30; noncode.

Effective: Upon passage; July 1, 2001.

Synopsis: Provides that an individual in need of self-directed in-home care who is a recipient approved to receive certain Medicaid waiver services or a participant in the Community and Home Options to Institutional Care for the Elderly and Disabled (CHOICE) Program may employ registered personal services attendants to provide attendant care services. Exempts from these provisions home health agencies, hospice programs, and health care professionals who practice within the scope of their license. Allows a personal services attendant to perform certain self-directed in-home services and medical activities that, in the opinion of the attending physician, meet certain conditions and for which the attendant has received training or instruction on how to properly perform the medical activity from a licensed health professional. Requires an individual in need of in-home care and the individual's case manager to develop an authorized care plan. Provides that procedures must be adopted to receive and adjudicate certain complaints against personal services attendants. Allows personal services attendants who are guilty of certain offenses to be placed on the nurse aide registry. Sunsets the Self-Directed In-Home Care Program on July 1, 2003. Allows home health agencies to provide attendant care services. Establishes the Governor's Commission on Caregivers to study issues regarding the availability and quality of caregivers in long term care health settings. Requires the Commission to submit a report to the Governor and Legislative Council by not later than October 1, 2002. Allows the Commission to contract with a private individual or organization to provide the staff support necessary for the operation of the Commission, including conducting research and developing the required report. Appropriates \$49,000 from the state general fund for the commission to fulfill its purpose. Requires that

appropriate federal Medicaid waivers be sought to permit reimbursement of these services under Medicaid. Makes conforming amendments and technical corrections. (98)

SEA 216

Medicaid

Author(s): Miller

Sponsor(s): Crawford; Becker; Budak

Citations Affected: IC 2-5; IC 12-15; noncode.

Effective: January 1, 2001 (retroactive); July 1, 2001.

Synopsis: Establishes the Select Joint Commission on Medicaid Oversight. Provides for the appointment of Commission members and establishes meeting procedures. Allows the Commission to meet at any time during the calendar year. Provides that the Commission expires December 31, 2003. Repeals prior authorization for the Commission. Provides that the OMPP and its payment claims contractor must accept certain claim forms and may not mandate the use of a crossover claim form. (98)

SEA 280

Methadone Clinic Moratorium

Author(s): Miller; Sipes

Sponsor(s): C. Brown; Frizzell

Citations Affected: Noncode.

Effective: July 1, 2001.

Synopsis: Extends the state imposed moratorium on methadone clinics until July 1, 2003. Makes conforming changes. (104)

SEA 309

Medicaid Funding of Nursing Home Facilities

Author(s): Miller

Sponsor(s): Crawford; Frizzell; Buell

Citations Affected: IC 12-15.

Effective: July 1, 2001.

Synopsis: Allows nursing facilities to receive payments that are permitted under applicable federal statutes and regulations. (98)

SEA 310

Updating Reimbursement Codes

Author(s): Miller; Craycraft

Sponsor(s): Pelath; Ripley

Citations Affected: IC 5-10; IC 12-15; IC 27-8; IC 27-13.

Effective: July 1, 2001.

Synopsis: Requires the following entities to begin using, not later than 90 days after the effective date, the most current version of specified diagnostic and procedure codes under which claims for health care services are submitted and paid: (1) an administrator of a state employee health benefit plan; (2) the OMPP; (3) an insurer that provides coverage for medical expenses; (4) an insurer that issues a worker's compensation policy; (5) an employer who has received a certificate from the Worker's Compensation Board to carry its own worker's compensation risk without insurance; (6) the Indiana Comprehensive Health Insurance Association; (7) a health maintenance organization; (8) a limited service health maintenance organization; and (9) providers of covered health care services. Requires payors to reimburse providers for covered services based on updated codes if the services are provided after the effective date of the updated codes. (97)

SEA 375

Human Services

Author(s): Riegsecker

Sponsor(s): Klinker; Alderman

Citations Affected: IC 12-28; noncode.

Effective: July 1, 2001; July 1, 2002.

Synopsis: Changes the membership and meeting procedure of the Community Residential Facilities Council. Provides that one of the two

representatives of the public on the Community Residential Facilities Council may be a member of a representative organization of state employees. Requires Council approval of an entity providing supported living services. Allows the Council to issue a provisional license or provisional approval for up to six months to a supervised group living facility or an entity that provides supported living services. Provides transitional authority for a supervised group setting that is converting to a supported living setting to operate as a supported living setting under certain conditions. (98)

SEA 431

Dental Care

Author(s): Riegsecker

Sponsor(s): Klinker; C. Brown; Ulmer

Citations Affected: IC 12-13; IC 12-15; IC 12-17.6; noncode.

Effective: July 1, 2001.

Synopsis: Requires each county office of family and children to provide to specified entities a list of dentists in the county who participate in the Medicaid Hoosier Healthwise program. Requires the DFC to collaborate with OMPP and the State Department of Health to establish programs that facilitate children's access to oral health services. Requires OMPP and CHIP to encourage the parent of a child recipient to select a primary dental provider for the child before the child is 18 months old. Defines "mobile dentist". Requires the State Board of Dentistry to adopt rules to regulate the conduct of mobile dentist facilities and operations. (104)

SEA 433

Pharmacists

Author(s): Johnson; Lubbers; Craycraft

Sponsor(s): Hasler; Dillon; T. Brown; Welch

Citations Affected: IC 16-42; IC 25-26; noncode.

Effective: July 1, 2001.

Synopsis: Allows a pharmacist to refill a prescription without the written or oral authorization of a licensed practitioner if certain specified conditions are met. Prohibits a pharmacist from reselling, reusing, or redistributing medication that is returned to the pharmacy after the medication has been dispensed unless certain conditions are met. Provides that a pharmacist who violates the provisions regarding the emergency dispensing of a prescription medication commits a Class A infraction. Adds "Rx Only" as a federal legend. Allows a pharmacist to serve as a qualifying pharmacist for more than one pharmacy holding a Type II permit if certain conditions are met. Provides that a pharmacist may not dispense an emergency refill if the practitioner has designated on the prescription "No Emergency Refill". (104)

SEA 459

Dental and Vision Services under CHIP

Author(s): Simpson; Broden; Miller

Sponsor(s): C. Brown; Becker

Citations Affected: Noncode.

Effective: July 1, 2001

Synopsis: Requires OMPP to apply to the United States Department of Health and Human Services for approval of a waiver to provide coverage for dental and vision services under CHIP to a child who has health insurance coverage but does not have coverage for dental services or vision services and is otherwise eligible for coverage under CHIP. Provides for implementation of an approved waiver if the General Assembly appropriates funds. (97)

SEA 501

Transportation of Children

Author(s): Rogers; Landske; Antich

Sponsor(s): C. Brown; Dillon; V. Smith

Citations Affected: IC 12-17.2; noncode.

Effective Date: July 1, 2001.

Synopsis: Requires a person who transports children in the care of a child care center in a vehicle designed and constructed for the accommodation of more than 10 passengers to transport the children in a school bus or a special purpose bus. Requires the owner of a special purpose bus to present the special purpose bus for inspection at the time and place designated by the state police department. Defines a child care center so that the term does not include a child care home, a child care ministry, an unlicensed day care provider, or a residential child care institution. Permits the use of a public transportation system to transport children if the motor carriage used is designed to carry at least 20 passengers. Provides that a preschool operated by a school corporation, a public elementary school, a public secondary school, or a child care center is not prohibited from contracting with a common carrier for incidental charter bus service for non-regular transportation as long as the carrier and the carrier's motor coach complies with federal safety regulations. Provides that if before July 1, 2001, a person owns a vehicle other than a school bus or a special purpose bus that is used to transport school children, the vehicle may be used to transport children until June 30, 2006. (97)

SEA 538

Children's Services

Author(s): Johnson

Sponsor(s): Crosby; Goeglein

Citations Affected: IC 12-7; IC 12-22; IC 31-34.

Effective: July 1, 2001.

Synopsis: Provides for the DMH to award grants to local units of government for the establishment of local programs responsible for developing a coordinated, family centered, community based system of services for children with serious emotional disturbances and their families. Provides that the DFC may not initiate a court proceeding to terminate parental rights or transfer legal custody, or require a parent to agree to the termination of parental rights or transfer of custody, of a child with certain disorders who is voluntarily placed out of the home in order to receive treatment. Allows the Division and parent to sign a voluntary

placement agreement. (The introduced version of this bill was prepared by the Indiana Commission on Mental Health.) (77)

SEA 561

Health

Author(s): Johnson; Simpson; Miller

Sponsor(s): Crawford; Friend; Dillon; Kuzman; Goeglein

Citations Affected: IC 4-22; IC 6-3.5; IC 6-6; IC 12-7; IC 12-16.1; IC 12-17.6; IC 12-17.7; IC 12-17.8; IC 34-30; IC 35-43; noncode.

Effective: July 1, 2000 (retroactive); January 1, 2001 (retroactive); upon passage; July 1, 2001; January 1, 2002; June 30, 2002; July 1, 2002; July 1, 2003.

Synopsis: Provides that a county's share of local option income taxes and motor vehicle excise taxes will not change as a result of the repeal of the hospital care for the indigent property tax levy and the imposition of the uninsured parents program property tax levy. Establishes the Uninsured Parent's Program within the Office of the Secretary of FSSA to provide health insurance coverage to certain uninsured individuals. Provides eligibility requirements. Specifies that providers enrolled under the Medicaid program are considered providers for the program. Repeals the hospital care for the indigent (HCI) program, except for the local property tax levy authorization. Provides for funding of the Uninsured Parents Program, including proceeds from the HCI property tax levies. Makes changes to the Medicaid disproportionate share hospital payment structure. (98)

HEA 1047

Definition of Autism

Author(s): Duncan; Summers

Sponsor(s): Jackman; Sipes; Bowser

Citations Affected: IC 1-1; IC 36-4.

Effective: July 1, 2001.

Synopsis: Defines "autism" as a neurological condition for purposes of construction of all Indiana statutes. Removes a defined term that is never used elsewhere in the Indiana Code. Makes a conforming amendment. (97)

HEA 1206

PILOTS and Bureau of Family Resources

Author(s): Crawford

Sponsor(s): Long; Howard

Citations Affected: IC 5-20; IC 6-1.1; IC 12-13-6-1; IC 12-14; IC 36-1; IC 36-3.

Effective Date: July 1, 2001; January 1, 2002.

Synopsis: Establishes a property tax exemption for real property that was constructed, rehabilitated, or acquired after December 31, 2001, to provide housing to income eligible persons under the federal Low Income Housing Tax Credit Program. Permits the governing body of a political subdivision to enter into agreements concerning payments in lieu of taxes for the same real property and provides that the payments are to be deposited in the political subdivision's affordable housing fund. Expands the existing Marion County PILOTS program to include Dearborn County. Changes the name of the "Bureau of Community Services" within the DFC to the "Bureau of Family Resources". Changes the definition of "community action agency" to include: (1) a private nonprofit organization that is geographically located within a community; (2) a private nonprofit organization that is located in a county or counties contiguous to or within reasonable proximity of a community; and (3) a political subdivision, if there is otherwise no qualified nonprofit organization that meets the criteria to be a community action agency. (103)

HEA 1249

Indiana Children's Trust Fund

Author(s): Avery; Klinker ; Dillon; Becker

Sponsor(s): Server; Merritt; Simpson

Citations Affected: IC 12-17.

Effective: July 1, 2001.

Synopsis: Changes the role of the Commissioner of the State Department of Health (or the commissioner's designee) on the Board of the Indiana Children's Trust Fund from a nonvoting advisor to a voting member. Requires that an individual designated to serve on the Board by the Commissioner of the State Department of Health must have knowledge of or experience in issues relating to the prevention of child abuse and neglect and the reduction of infant mortality. Gives the Board the authority to hire its own staff. Changes the number of board members necessary for a quorum from five to six. Allows money from the Indiana Children's Trust Fund, not to exceed \$45,000, to be used to employ staff for the Board. (104)

HEA 1401

Evansville Hospital Property

Author(s): Avery; Becker; Hasler; Weinzapfel

Sponsor(s): Server; Lutz

Citations Affected: IC 4-13; IC 4-13.5; IC 4-30; IC 4-33; IC 36-1; noncode.

Effective Date: July 1, 2001

Synopsis: Establishes and sets forth the membership of the Governor's Commission on Minority and Women's Business Enterprises. Requires the Department of Administration to adopt administrative rules to ensure that certain goals established by the Commission are met. Expands the membership and duties of the Evansville State Hospital Advisory Committee. Provides that an ordinance of a unit that regulates the parking of motor vehicles is not applicable in certain places in Vanderburgh County. Requires the state to convey certain property located in Vanderburgh County. Requires the state to grant an easement in one of the parcels to the parks department of the city of Evansville for use as a recreational greenway. Provides that only certain property may be: (1) used for any type of housing; or (2) transferred to the Buffalo Trace Council of the Boy Scouts of America. (75)

HEA 1417**Parents as Teachers Program**

Author(s): Ayres; Klinker; Budak

Sponsor(s): Server; Alexa; Antich

Citations Affected: IC 20-1.

Effective: July 1, 2001.

Synopsis: Specifies that Parents as Teachers Programs are included among the parent information programs eligible to receive Step Ahead Early Childhood Grant funds. (71)

HEA 1487**Newborn Screening**

Author(s): Goeglein; Welch; Day; Budak

Sponsor(s): Lawson; Johnson; Rogers; Simpson; Wyss; Hume

Citations Affected: IC 12-15; IC 16-41.

Effective Date: July 1, 2001.

Synopsis: Expands the Newborn Screening Program, which requires infants to be examined for certain disorders. Specifies that Medicaid includes coverage for certain newborn screenings that are required by law. Specifies how payment to a hospital for certain newborn screenings is calculated. (77)

HEA 1511**Rehabilitation Service Contracts**

Author(s): Friend; Kersey

Sponsor(s): Wheeler; Lewis

Citations Affected: IC 12-12.

Effective Date: July 1, 2003.

Synopsis: Requires the Rehabilitation Services Bureau of DDARS, when contracting for job development, placement, or retention services, to contract with an organization or individual

accredited by an independent national accreditation organization. (77)

HEA 1647**Medicaid Waivers**

Author(s): Summers; Alderman; Oxley; Atterholt

Sponsor(s): Merritt; Lawson

Citations Affected: Noncode

Effective: July 1, 2001.

Synopsis: Requires OMPP to request an amendment to the autism waiver to provide coverage for applied behavior analysis treatment. Effective July 1, 2003: (1) requires the office to request an amendment to the autism waiver to increase by 200 the total number of waiver slots; and (2) appropriates from the state general fund an amount sufficient to increase the number of individuals served under the waiver. Requires OMPP to apply for approval of a waiver to provide coverage for dental and vision services under CHIP to a child who has health insurance coverage but does not have coverage for dental services or vision services and is otherwise eligible for coverage under CHIP. (The introduced version of this bill was prepared by the Indiana Commission on Autism.) (97)

HEA 1767**Continuum of Care for the Elderly and Disabled**

Author(s): Espich; Bauer

Sponsor(s): Server; Simpson; Craycraft

Citations Affected: Noncode.

Effective: July 1, 2001.

Synopsis: Requires the office of the secretary of FSSA to develop a plan to assure that services provided under programs administered by the office match the needs of the individuals receiving the services as closely as possible. Specifies certain topics that the plan must address. Requires the office to file a preliminary report with the legislative council not later than

September 30, 2001, and a final report not later than June 30, 2002. (98)

HEA 1813

Mental Health

Author(s): Crosby; Goeglein; C. Brown; Pelath

Sponsor(s): Johnson; Blade; Simpson

Citations Affected: Numerous provisions throughout the Indiana code.

Effective: Upon passage; July 1, 2001.

Synopsis: Changes the name of the Division of Mental Health to the Division of Mental Health and Addiction. Amends the definition of "managed care provider" to include: (1) organizations that provide children's mental health services; and (2) organizations that are exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code (instead of nonprofit corporations incorporated in another state. Requires the DMH to establish standards for each element of the continuum of care for community mental health centers and managed care providers before July 1, 2003. Except for a center that meets certain requirements, prohibits the DMH from entering into a contract for the provision of services with a new managed care provider or community mental health center that is not currently providing service until July 1, 2003. (77)

HEA 1829

Abandoned Infants

Author(s): Aguilera; Stevenson; Budak; Duncan; Dickinson; Klinker

Sponsor(s): Merritt; Rogers; S. Smith; Antich

Citations Affected: IC 29-3; IC 31-9; IC 31-30; IC 31-34; IC 31-35; IC 31-37; IC 33-5.

Effective: July 1, 2001.

Synopsis: Increases from 30 days to 45 days the maximum age of an abandoned infant that may be taken into custody without a court order. Provides that a person who leaves an infant with

an emergency medical services provider is not required to disclose the person's name or the parent's name. Requires a local child protective service that takes custody of an infant to contact the missing persons clearing house to determine if the infant has been reported missing. Provides that, in custody hearings concerning an abandoned infant left with an emergency medical services provider, the emergency medical services provider is not required to be notified of custody proceedings. Removes a rebuttable presumption that it is not in the best interests of a child to locate the child's parent or reunify the child's family if the child was left with an emergency medical services provider. Makes a technical correction regarding detention hearings and initial hearings in cases involving abandoned infants. Gives juvenile courts exclusive original jurisdiction over guardianships for certain children who have been found by a juvenile court to be children in need of services (CHINS). Allows a court to issue an order to detain a child who has been taken into custody for a delinquent act if the court finds probable cause to believe that it is not in the best interests and welfare of the child or it is harmful to the safety or health of the child to be returned to the child's home. Gives Boone Circuit Court and Hendricks Circuit Court power over a guardianship of the person proceedings for a CHINS child. (106)

HEA 1841

Various Child Support Matters

Author(s): C. Brown

Sponsor(s): Blade; Hershman; Simpson; Lawson

Citations Affected: IC 9-24; IC 12-17; IC 16-37; IC 31-14; IC 31-16.

Effective: July 1, 2001.

Synopsis: Transfers from the Department of State Revenue to the Child Support Bureau of the DFC the responsibility to operate a data match system with financial institutions to provide information to the Bureau concerning noncustodial parents who are delinquent in the payment of child support. Indicates that a prosecuting attorney or private attorney employed to handle Title IV-D cases is representing the state and not any other person. Makes changes in the procedure to challenge a

paternity affidavit. Provides that a man is considered the legal father of a child if the man executes a paternity affidavit and the paternity affidavit has not been rescinded or set aside. Requires Social Security numbers to be included on applications for driver's licenses and permits and death records. Removes a provision making both parents jointly and severally liable for the repayment of childbirth expenses paid by Medicaid. Requires both the custodial and non-custodial parent in paternity and dissolution actions to provide certain information, including Social Security numbers, to the clerk of the court when a child support order is issued or modified. Requires the Indiana support enforcement tracking system (ISETS) case number to be included with income withholding payments. Allows income-withholding payments to be made to the state central collection unit. (98)

HEA 1845

Indiana Commission on Excellence in Health Care

Author(s): C. Brown

Sponsor(s): Miller; Simpson; Lawson

Citations Affected: Noncode.

Effective: Upon passage.

Synopsis: Creates the Indiana Commission on Excellence in Health Care to study issues related to the quality of health care provided to Indiana residents. Specifies membership requirements and meeting procedures. Requires the Commission to submit interim reports to the Governor, Health Finance Commission, and Legislative Council not later than October 1, 2001, and October 1, 2002, and a final report not later than October 1, 2003. (98)

HEA 1871

Medicaid and Certain Hospitals

Author(s): C. Brown; Dillon

Sponsor(s): S. Smith; Miller; Rogers; Landske

Citations Affected: IC 12-15-11.5.

Effective: December 30, 2000 (retroactive).

Synopsis: Exempts certain Medicaid managed care contractors from specified statutory provisions. Removes December 31, 2000, expiration date of provisions that: (1) require a Medicaid managed care contractor to regard a hospital as a contracted provider which provides services to certain patients under a capitated prepayment managed care system; (2) prohibit a Medicaid managed care contractor from providing incentives or mandates to primary medical providers to direct certain Medicaid recipients to contracted hospitals other than a hospital in a city where the recipient resides, with certain exceptions; and (3) require certain Medicaid hospitals to comply with eligibility verification and medical management programs negotiated under the hospital's most recent contract or agreement with the Medicaid managed care contractor. Establishes, through 2002, reimbursement rates for a hospital that does not have a contract with OMPP's managed care contractor but has previously contracted to provide services under the Medicaid managed care program. Prohibits providing certain hospitals less reimbursement when the patient was referred to a hospital in the city where the patient resides. Prohibits certain hospitals from declining non-emergency services to an individual in the Medicaid risk based program. (The introduced version of this bill was prepared by the Interim Study Committee on Medicaid Oversight). (98)

HEA 1872

Health

Author(s): C. Brown; Dillon

Sponsor(s): S. Smith; Miller; Rogers; Landske

Citations Affected: IC 12-7; IC 12-15; IC 12-17.6; IC 34-6.

Effective: Upon passage; July 1, 2001; January 1, 2002.

Synopsis: Requires the Medicaid Primary Care Case Management (PCCM) Program and the Risk-Based Managed Care (RBMC) Program to cover and pay for certain emergency and post-stabilization care services. Specifies reimbursement levels for certain emergency and post-stabilization care services. Amends the

definition of "emergency" for purposes of CHIP. Amends the definition of "professional health care provider" concerning a nonprofit health care organization. Removes expiration provision from the statute requiring that, under the Medicaid PCCM Program, certain physician services provided to a program enrollee in a hospital emergency department must be at a rate equal to 100% of rates payable under the Medicaid fee structure. (The introduced version of this bill was prepared by the Interim Study Committee on Medicaid Oversight.) (98)

HEA 1873

Hospice

Author(s): C. Brown; Dillon; Goeglein; Becker

Sponsor(s): Gard; Alexa; Rogers; S. Smith; Broden

Citations Affected: IC 16-25; noncode.

Effective: July 1, 2001.

Synopsis: Requires OMPP to apply for a federal waiver to reimburse hospices for room and board services at a rate of 95% of the average case mix per diem reimbursement rate for Medicaid payments in effect for health facilities licensed under IC 16-28 as of July 1 of each year for patients who: (1) reside in a hospice facility; (2) receive a routine home care level of care; and (3) are eligible for Medicaid. Requires OMPP to report the decision of the federal government regarding the waiver to the Governor and the General Assembly. Provides that OMPP may not implement the waiver unless the General Assembly approves the implementation and appropriates funds. Requires the State Department of Health to conduct annual surveys of hospices until July 1, 2003, and to adopt guidelines to survey hospices every one to three years after July 1, 2003. Specifies criteria that the State Department of Health must consider in establishing guidelines regarding the survey of hospice programs. (104)

HEA 1938

Medicaid Coverage for Breast and Cervical Cancer

Author(s): Becker; C. Brown; Welch;

Budak

Sponsor(s): Gard; Miller; Server; Simpson; Wyss; Alting

Citations Affected: IC 12-7; IC 12-15; noncode.

Effective: July 1, 2001.

Synopsis: Expands Medicaid to include women screened and found to need treatment under the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000. Allows presumptive eligibility for qualified women. Limits eligibility to women whose family income does not exceed 200% of the federal income poverty level for the same size family. Appropriates funds from the state general fund. (104)

HEA 1950

Medicaid Buy-In Program for the Working Disabled

Author(s): Welch; Mellinger; Goeglein; Becker; Hasler; Oxley

Sponsor(s): Lawson; Simpson; Miller; Skillman; Wyss; Hume; Zakas

Citations Affected: IC 4-22; IC 12-7; IC 12-15; noncode.

Effective: Upon passage; July 1, 2001.

Synopsis: Establishes a Medicaid Buy-In Program to provide Medicaid coverage to certain working individuals with disabilities as authorized by federal law. Establishes the Medicaid Work Incentives Council to assist OMPP in developing the Medicaid Buy-In Program. Specifies eligibility requirements for the Buy-In Program. Requires an annual review of the Medicaid Buy-In Program by OMPP and the Medicaid Work Incentives Council. Requires OMPP to apply for certain federal grants. Allows OMPP to apply for a federal grant to implement a demonstration project to provide Medicaid coverage to certain individuals. (98)

HEA 1958

Prescription Discount and Benefit Cards

Author(s): C. Brown; Becker

Sponsor(s): Johnson; Rogers; Simpson

Citations Affected: IC 24-5; IC 27-8; IC 27-13; noncode.

Effective: July 1, 2001.

Synopsis: Provides that a person may not sell, market, promote, advertise, or distribute a card, device, or other purchasing mechanism that is not insurance that purports to offer discounts or access to discounts from a pharmacy for prescription drug or device purchases if certain conditions exist. Provides penalties for violations. Establishes uniform requirements for prescription drug information or other technology issued by an insurer, a health maintenance organization, or certain other entities. Provides that prescription drug cards do not have to be issued more than every 12 months.
(77)

HEA 2031

Child Fatality Review Teams

Author(s): Kruzan; Budak; Hinkle; Saunders

Sponsor(s): Wyss; Simpson; Blade

Citations Affected: IC 12-7; IC 12-13; IC 16-18; IC 34-30.

Effective: July 1, 2001; January 1, 2002.

Synopsis: Provides for the establishment of a nine-member child fatality review team on a county or regional basis to review the sudden, unexpected, or unexplained death of a child. Requires the DFC to provide training to local child fatality review teams and to compile an annual report concerning child fatalities. Addresses issues of public access to meetings and records of child fatality review teams. Makes a technical correction in current law.
(105)